

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA)	
)	No. 2:12-CR-68-DBH
v.)	
)	
ANGELA GOLDTHWAIT)	

MOTION FOR LEAVE TO DISMISS INDICTMENT WITHOUT PREJUDICE

The United States of America, by and through Thomas E. Delahanty II, United States Attorney, and David B. Joyce, Assistant United States Attorney, respectfully moves under Rule 48(a) of the Federal Rules of Criminal Procedure for leave of Court to dismiss Count One of the indictment against Defendant Angela Goldthwait without prejudice. This is the only pending count against the Defendant. In support of this Motion, the Government states the following:

1. The Defendant has been charged via indictment with conspiracy to distribute and possess with intent to distribute oxycodone.

2. The parties have reached an Agreement for Pre-Trial Diversion (“the Agreement”) in this matter. Under the terms of the Agreement, the Government agrees to defer prosecution of the Defendant for a period of twelve (12) months provided the Defendant abides by certain conditions specified in the Agreement. Should the Defendant fail to comply with the terms of the Agreement, the Government may reinstitute prosecution. Also under the agreement, the Defendant waives her rights to a speedy trial under Rule 48(b) of the Federal Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the United States.

3. Counsel for the Defendant has no objection to the Government’s motion.

WHEREFORE, the United States respectfully requests that the Court grant leave for the dismissal Count One of the indictment against Defendant Angela Goldthwait in this case without prejudice.

Dated: October 25, 2013

Thomas E. Delahanty II
United States Attorney

/s/David B. Joyce
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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2013, I electronically filed Motion for Leave to Dismiss Indictment Without Prejudice with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

Sarah Churchill, Esq.

Thomas E. Delahanty II
United States Attorney

/s/David B. Joyce
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